

Message Text

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DRAFTED BY M:LSEAGLEBURGER:ML
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NODIS
CHEROKEE

E.O. 11652:GDS

TAGS: OVIP (KISSINGER, HENRY A.), OGEN

SUBJECT: THE PIKE COMMITTEE -- AN INTERIM ANALYSIS

FOR THE SECRETARY FROM EAGLEBURGER

1. THE FOLLOWING IS AN ATTEMPT ON MY PART TO ANALYZE FOR YOU WHERE I THINK WE STAND WITH REGARD TO THE PIKE COMMITTEE AT THE PRESENT MOMENT. THIS IS A MOVING TARGET AND WILL REMAIN SO UNTIL AFTER YOUR OCTOBER 31 APPEARANCE. IT IS BASED ON A SERIES OF CONVERSATIONS WITH SOME OUTSIDE THE PIKE COMMITTEE (TIP O'NEILL, DOC MORGAN, DANTE FASCELL, WAYNE HAYS, CLEM ZABLOCKI AND PAUL FINDLEY) AND SOME ON THE COMMITTEE (REPUBLICANS KASTEN (HE FLEW WITH YOU TO MILWAUKEE) AND TREEN). I HAVE THUS FAR LIMITED MY CONVERSATION WITH PIKE COMMITTEE MEMBERS BECAUSE FIRST OF ALL I DID NOT WANT TO BE ACCUSED OF LOBBYING THEM IN ADVANCE OF THE TUESDAY VOTE ON HOW TO RESPOND TO YOUR LETTER AND SECONDLY BECAUSE AT LEAST WITH SOME OF THEM I AM ABOUT AS POPULAR AS

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A BAD CASE OF THE SEVEN-YEAR ITCH. I DO THINK WE SHOULD

BE IN TOUCH WITH ALMOST ALL OF THE REMAINING MEMBERS OF THE PIKE COMMITTEE MEMBERS NEXT WEEK, IN ADVANCE OF YOUR APPEARANCE, BUT WILL TALK TO YOU ABOUT THAT IN MORE DETAIL WHEN YOU RETURN. CERTAINLY MCCLORY (THE RANKING REPUBLICAN) NEEDS TO BE TALKED TO.

2. ATTITUDES ON THE PIKE COMMITTEE: THE OCTOBER 21 EIGHT TO FIVE VOTE IN FAVOR OF INVITING YOU TO APPEAR BEFORE THE COMMITTEE CAME AS THE RESULT OF A COMBINATION OF FACTORS. THE INFORMATION I HAVE INDICATES THAT SOME LIKE MCCLORY, KASTEN, TREEN AND MILFORD (A DEMOCRAT) VOTED AS THEY DID BECAUSE THEY BELIEVE YOU ARE CORRECT ON THE BASIC ISSUE. OTHERS SUCH AS ASPIN, MURPHY, LEHMAN, AND JOHNSON (A REPUBLICAN) VOTED AS THEY DID BECAUSE THEY BELIEVE PIKE HAS PICKED THE WRONG ISSUE AND WOULD LOSE ON IT IF HE TOOK IT TO THE FLOOR. ASPIN, I AM TOLD, IS AS ANXIOUS AS PIKE (I'LL GET TO HIM IN A MOMENT) FOR A CONFRONTATION WITH THE ADMINISTRATION BUT THINKS THE BOYATT MEMO IS A LOSER. MURPHY AND LEHMAN -- AND PARTICULARLY MURPHY -- MAY YET BE CONVINCED THAT YOU ARE RIGHT ON THE MERITS. FINALLY, PIKE AND DELLUMS WERE AT THE CENTER OF THOSE WHO WANT TO GO TO THE FLOOR OF THE HOUSE ON THE ISSUE OF THE CONFRONTATION WITH THE STATE DEPARTMENT; AS KASTEN SAID TO ME, "PIKE WANTS PUBLICITY SO BAD HE CAN TASTE IT."

3. THUS MY INTERIM READING OF THE COMMITTEE ITSELF INDICATES THAT WE ARE PROBABLY IN REASONABLY GOOD SHAPE AND THAT MUCH WILL DEPEND ON HOW YOU COME OUT OF THE OCTOBER 31 APPEARANCE. PIKE WILL CLEARLY TRY TO DEMONSTRATE THAT YOU AND THE DEPARTMENT ARE INTRANSIGENT FAR BEYOND THE LIMITED SCOPE OF THE BOYATT DISSENT MEMO AND THE ISSUE OF WHAT JUNIOR AND MIDDLE LEVEL OFFICERS MAY TESTIFY ABOUT. THE WAVERERS WILL BE MUCH IMPACTED UPON BY PIKE'S ABILITY TO MAKE THIS CASE.

4. IT IS NOT YET CLEAR WHAT PIKE'S TACTICS WITH THE COMMITTEE WILL BE FOLLOWING YOUR APPEARANCE. THE EXTREME WOULD BE FOR HIM TO ASK THE COMMITTEE TO REQUEST THE FULL HOUSE TO VOTE A CONTEMPT CITATION AGAINST YOU. THERE ARE VARIOUS ALTERNATIVES OF THIS EXTREME SUCH AS A "RESOLUTION
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OF INQUIRY" WHICH WOULD ASK THE FULL HOUSE SPECIFICALLY TO VOTE A REQUEST OF YOU FOR THE BOYATT MEMO (IN SUCH A CASE THE RESOLUTION WOULD PROBABLY BE REFERRED TO DOC MORGAN'S COMMITTEE SINCE THE PIKE COMMITTEE HAS NO LEGISLATIVE WRIT). ANOTHER ALTERNATIVE MIGHT BE FOR PIKE TO GO TO THE FLOOR AND REQUEST A HOUSE RESOLUTION REAFFIRMING ITS GENERAL SUPPORT FOR THE COMMITTEE AND ITS WORK AND CALLING UPON YOU TO COOPERATE WITH THE COMMITTEE. IN SUM, IT IS

IMPOSSIBLE TO ANTICIPATE HOW THE RULES COMMITTEE WOULD TREAT A REQUEST FROM PIKE UNTIL WE KNOW THE EXACT TEXT OF THAT REQUEST.

5. THE SITUATION IN THE HOUSE: TO OVERSIMPLIFY, THE GENERAL VIEW OF THOSE I HAVE TALKED TO OUTSIDE THE COMMITTEE IS THAT THE CHANCES OF FULL HOUSE PASSAGE OF ANY CONTEMPT

CITATION IS MINIMAL. THE ODDS BEGIN TO CHANGE A BIT, I AM TOLD, TO THE DEGREE THAT PIKE WATERS DOWN WHATEVER RESOLUTION IT IS HE PUTS TO THE HOUSE. WAYNE HAYS AND CLEM ZABLOCKI WILL FIGHT HARD FOR YOU ON ALMOST ANY RESOLUTION. DOC MORGAN WILL PROBABLY DO THE SAME AS WOULD DANTE FASCELL. TIP O'NEILL WAS NONCOMMITTAL WHILE JOHN BRADEMAS SOUNDED MODERATELY SYMPATHETIC. AGAIN, IN SOME OF THESE CASES A GREAT DEAL WOULD DEPEND ON THE CHARACTER OF THE PIKE REQUEST TO THE FULL HOUSE. ZABLOCKI SAID THAT ANY REALLY TOUGH RESOLUTION, CERTAINLY INCLUDING A REQUEST FOR A FINDING OF CONTEMPT, WOULD PROBABLY GO "ABOUT AS THE VOTE OF CONFIDENCE FOR NEDZI WENT." YOU WILL RECALL THAT ON JUNE 16 THE SPEAKER ASKED THE HOUSE WHETHER THE LETTER OF RESIGNATION OF NEDZI FROM THE SELECT COMMITTEE ON INTELLIGENCE OUGHT TO BE ACCEPTED. THE VOTE WAS NO 290, YES 64, AND "PRESENT" 44.

6. IN SUM, EVEN SHOULD THE PIKE COMMITTEE VOTE SOME FORM OF RESOLUTION THE CHANCES NOW, EVEN IN THE ABSENCE OF ANY VERY HEAVY LOBBYING, ARE THAT IT WOULD NOT PASS THE FULL HOUSE. DOC MORGAN POINTED OUT IN BOB MCCLOSKEY'S AND MY CONVERSATION WITH HIM THAT THE CHANCES OF PASSAGE WOULD BE REDUCED THE LONGER THE DEBATE ON ANY SUCH RESOLUTION. HE AND SEVERAL OTHERS DID SAY THAT THERE WOULD BE SOME "ANTI KISSINGER" FEELING AND THAT THIS WOULD AFFECT
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SOME VOTES BUT THE GENERAL CONSENSUS WAS THAT THIS WOULD NOT BE A MAJOR FACTOR.

7. YOUR APPEARANCE ON OCTOBER 31: IT IS BECOMING INCREASINGLY EVIDENT THAT PIKE AT LEAST WILL TRY TO COME AT YOU WITH A SHOTGUN APPROACH. THE OPEN PORTION OF YOUR APPEARANCE WILL ALMOST CERTAINLY HAVE TO FOCUS ON THE ISSUE OF THE BOYATT MEMORANDUM AND THE RULES WE HAVE ESTABLISHED ON TESTIMONY FROM JUNIOR AND MIDDLE LEVEL OFFICERS. BUT WHEN THE COMMITTEE MOVES INTO EXECUTIVE SESSION, I THINK YOU MUST EXPECT A SUBSTANTIAL ATTEMPT ON PIKE'S PART TO DRAG IN THE KURDISH ISSUE, ANGOLA, ITALY AND ANYTHING ELSE HE CAN TRY TO EMBARRASS YOU WITH. I DOUBT VERY MUCH THAT THERE WILL BE ANY GREAT INTEREST IN CYPRUS (KASTEN HAS ALREADY SAID THE COMMITTEE HAS MORE

THAN ENOUGH INFORMATION ON CYPRUS). ONE OF THE THINGS WE WILL WANT TO DO NEXT WEEK IS WORK AS HARD AS WE CAN WITH YOUR SUPPORTERS ON THE COMMITTEE TO SEE THAT THEY AT LEAST DIRECT THEIR QUESTIONS TO ISSUES SUCH AS CYPRUS, THE BOYATT MEMORANDUM, AND THE GENERAL WITNESS RULE. BILL HYLAND AND I HAVE ALREADY TALKED ABOUT THE NEED TO KEEP YOU FULLY INFORMED THROUGHOUT THE COURSE OF THE TIME RUNNING UP TO OCTOBER 31 ON EXACTLY WHAT THE PIKE COMMITTEE HAS RECEIVED IN THE WAY OF INTELLIGENCE INFORMATION ON

THE WHOLE RANGE OF ISSUES WHICH MAY BE PUT TO YOU. SINCE THE COMMITTEE WILL BE HOLDING HEARINGS IN ADVANCE OF YOUR APPEARANCE, THIS ALSO WILL BE A MOVING TARGET.

8. COMMENT: AS MUCH AS ANY APPEARANCE YOU HAVE YET MADE BEFORE A CONGRESSIONAL COMMITTEE, THE OUTCOME WILL DEPEND VERY MUCH ON YOUR PERFORMANCE. PIKE WILL TRY TO GET YOU TO EXPAND THE LIMITATIONS ON INFORMATION WHICH CAN BE TURNED OVER TO THE COMMITTEE BY PUSHING YOU ON TURNING OVER DOCUMENTS, NODIS TELEGRAMS, ETC. HE WILL ALSO PROBABLY TRY TO GET YOU TO SUPPORT: 1) THE DELETIONS WE HAVE MADE IN DOCUMENTS WE HAVE ALREADY TURNED OVER TO THE COMMITTEE AND 2) THE REFUSAL OF JUNIOR AND MIDDLE LEVEL OFFICERS, IN INTERVIEWS WITH THE STAFF, TO ANSWER CERTAIN QUESTIONS. WE WILL REVIEW WITH YOU WHAT INFORMATION HAS BEEN DELETED AND WHAT QUESTIONS HAVE NOT BEEN ANSWERED
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AFTER YOU RETURN. THIS IS NOT A MAJOR ISSUE, SINCE IN FACT YOU CAN APPEAR TO BE SWEET REASONABLENESS ITSELF BY PERHAPS AGREEING TO EXPAND THE AMOUNT OF INFORMATION "YOUR SUBORDINATES" HAVE THUS FAR TURNED OVER. ADDITIONALLY, I THINK THERE IS LITTLE QUESTION THAT YOU WILL HAVE TO SAY THAT I WAS EXCESSIVELY HARSH AND RIGID IN MY APPEARANCE BEFORE THE PIKE COMMITTEE. THAT ALSO MAY PROVE TACTICALLY USEFUL TO YOU (BECAUSE OF THIS IT WOULD BE BETTER THAT I NOT ACCOMPANY YOU TO THE COMMITTEE HEARING).

9. WE SHOULD SPEND A GOOD BIT OF TIME NEXT WEEK CONTACTING VARIOUS MEMBERS OF THE PIKE COMMITTEE TO ASSURE THEM OF YOUR WILLINGNESS TO COMPROMISE (ALTHOUGH WE SHOULD, AS WELL, REAFFIRM YOUR DECISION NOT TO TURN OVER THE BOYATT MEMORANDUM AND TO LIMIT THE KINDS OF TESTIMONY THAT JUNIOR AND MIDDLE LEVEL OFFICERS MAY GIVE). WE OUGHT ALSO TO SPEND A GOOD BIT OF TIME EDUCATING AS MANY FRIENDLY REPUBLICANS AND DEMOCRATS OUTSIDE THE PIKE COMMITTEE AS WE CAN. THIS IS IMPORTANT BECAUSE I AM CONVINCED, ON THE BASIS OF MY CONVERSATIONS THUS FAR, THAT OTIS PIKE IS EXTREMELY UNPOPULAR AND THAT THE MCCARTHYISM PLOY, CAREFULLY USED, IS STRIKING A RESPONSIVE CHORD.

10. IN THAT REGARD I UNDERSTAND THAT PIKE HAS BEEN VERY EXERCISED OVER THE STRONG SUPPORT YOU HAVE RECEIVED IN THE PRESS. WHILE THIS REPORTEDLY HAS MADE HIM MAD AS A HORNET, IT HAS ALSO MADE HIM NERVOUS. I UNDERSTAND AS WELL THAT IT HAS HAD A MAJOR, AND USEFUL, IMPACT ON MOST MEMBERS OF THE COMMITTEE. INGERSOLL

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